



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: November 22, 2022

Time: 6:30 PM

**Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA /
Zoom (Hybrid)**

1. ROLL CALL

Roll Call showed 9 present, 2 absent (C. Nuon, C. Scott).

M. Chau presiding.

C. Jenness requested moment of silence in darkened chamber for victims of recent Colorado shooting.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). Those Wishing To Speak Regarding A Specific Agenda Item Shall Register To Speak In Advance Of The Meeting By Sending Email To City Clerk Indicating The Agenda Item And A Phone Number To Call So That You May Be Issued Zoom Link To The Meeting. Email Address Is MGEARY@LOWELLMA.GOV. If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. For Zoom - [HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

In City Council, **Motion** "To accept and place on file" by C. Drinkwater, seconded by C. Jenness. So voted.

2.2. Communication - Creation Of Veteran's Affairs Subcommittee.

In City Council, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Mercier. So voted. M. Chau commented on the formation of the subcommittee. C. Yem noted it was an honor to chair the subcommittee.



2.3. Mayor Items:

Citation - Mr. James Aste;

In City Council, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Mercier. So voted. M. Chau recognized Mr. Aste as an Eagle Scout and presented him the citation. Mr. Aste thanked the Council.

Presentation - LRTA (George Anasta / Dave Bradley);

In City Council, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Mercier. So voted. Mr. Bradley recognized Transit Month of December.

Announcement - Operation Rosebud; and

In City Council, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Mercier. So voted. Representatives of the Lowell Litter Crew who run Operation Rosebud outlined the purpose of the operation which is to assist elderly and disabled with shoveling. M. Chau noted it was an important service. C. Leahy noted the program has existed for some time. C. Mercier recognized members of the Litter Crew in the Chamber.

Recognition - Elections Department.

In City Council, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Mercier. So voted. C. Rourke commented on the recent election and efforts made by the department. C. Yem commented as a former commissioner noting work that is done in the department. C. Robinson commented on the training provided by the department. Greg Pappas (Election Director) recognized his staff and thanked the body for their recognition.

Motion by C. Mercier, seconded by C. Yem to take Item #10.2 out of order. So voted.

3. CITY CLERK

3.1. Minutes Of Finance SC November 15th; City Council Regular Meeting November 15th, For Acceptance.

In City Council, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Robinson. So voted.

4. AUDITOR BUSINESS

4.1. Communication - Monthly MUNIS Reports.

In City Council, **Motion** "To accept and place on file" by C. Jenness, seconded by C. Leahy. So voted. Auditor Oakes noted it was a motion response for monthly reports. C. Gitschier noted posting was better than a paper product and information indicates an overtime payment issue in the City. C. Robinson noted the benefits of transparency.



5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

In City Council, **Motion** "To accept and place on file" by C. Yem, seconded by C. Jenness. So voted.

A) Motion Response - Commercial Vehicles on Parked Streets – C. Robinson noted the concerns of the neighbors. Acting Supt. Golner (LPD) noted they were interested in resolving the issue beyond enforcement by possibly amending ordinances to mirror those of Revere. **Motion** by C. Robinson, seconded by C. Yem to refer to Law Department to draft ordinance regarding parking of commercial vehicles in the City. So voted. C. Jenness noted issue is present in all parts of the City. C. Yem noted need to identify what is a commercial vehicle. C. Leahy noted need to have clear definitions within the ordinance. C. Mercier noted ordinances must be enforced. C. Gitschier presence of multiple vehicles in violation. C. Robinson noted need to cover smaller vehicles with commercial plates.

B) Motion Response - Shedd Street – C. Robinson noted matter was addressed. C. Mercier recognized the quick response.

C) Motion Response - 6th and Beacon Street – C. Robinson noted the area is well known for accidents and commented that sometimes a different approach must be used.

D) Motion Response - Utility Rates and Assistance with Attachment – None.

E) Motion Response - CMAA Mass Save – C. Yem commented on the need to educate residents.

Motion by C. Mercer, seconded by C. Leahy to suspend rules to allow discussion regarding animal control in the City. So voted. C. Mercier commented on a situation where an abused and abandoned dog could not receive treatment as the City was not current on payment to vet vendor. **Motion** by C. Mercier, seconded by C. Gitschier to request report regarding Animal Control and the use vet services. So voted. C. Leahy noted need to pay for services and that no animal should be refused treatment.

6. VOTES FROM THE CITY MANAGER

6.1. Vote - Abandon And Discontinue Drainage Easement 28 Freedom Way.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Drinkwater, seconded by C. Yem. Adopted per Roll Call vote 9 yeas, 2 absent (C. Nuon, C. Scott). So voted. C. Jenness questioned if easement was being used. C. Rourke noted the effort to get this vote before the body. C. Leahy questioned procedures of the City regarding paper streets. Manager Golden, Jr. noted there is a report that will be before Council shortly regarding paper streets and the easement was no longer being used.



6.2. Vote - Adopt MRF Vote FY23.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on December 6, 2022 at 7 PM by C. Rourke, seconded by C. Leahy. So voted. Requested explanation of the vote. Conor Baldwin (CFO) noted there was a public hearing on the matter and outlined the process of setting tax rate and using a split tax rate between commercial and residential. C. Yem noted shift of the tax burden.

6.3. Vote - Apply/Accept/Expend \$630,000 One Stop For Growth Grant.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Yem. Adopted per Roll Call vote 9 yeas, 2 absent (C. Nuon, C. Scott). So voted.

6.4. Vote - Authorize CM To File Special Legislation Regarding LeLacheur Park.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Leahy, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas, 2 absent (C. Nuon, C. Scott). So voted. C. Jenness requested for future votes of this nature a cover letter be added to explain various statutes. Manager Golden, Jr. noted working under time constraints on this matter and recognized the request.

6.5. Vote - Supplemental Appropriation - LFD Overtime.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Rourke. Adopted per Roll Call vote 8 yeas, 1 nay (C. Gitschier), 2 absent (C. Nuon, C. Scott). So voted. C. Gitschier noted support for keeping stations open but questioned on how it is being done. C. Gitschier questioned manner of how overtime was being calculated. Mr. Baldwin reviewed process of setting overtime amount. C. Gitschier referred to comparison table provided to the Council. C. Gitschier commented that there must be a plan to lower overtime costs moving forward in budgeting. Chief Charon (LFD) provided presentation which outlined request for overtime and reason; review of overtime figures; effect of Covid; hiring practices (reserve list); injury/sick leave; review of overtime on a given day; and plan moving forward. C. Gitschier noted the Council wish to keep all stations open was well known so there should have been a better budgeting plan. C. Gitschier noted the overtime of upper administration with poor management and Council should vote against the overtime. C. Jenness commented on the different types of calls the fire department responds to and questioned if vote would cover to end of fiscal year. C. Baldwin indicated that vote would suffice as there are other sources to be used and that there must be a transfer before the tax rate is set. C. Jenness noted availability of other sources for transfers. **Motion** by C. Jenness, seconded by C. Mercier to request City Manager use all resources to expand fire academy capacity to ensure more qualified candidates for job openings. So voted. C. Jenness noted collective bargaining agreements may need to be adjusted. C. Drinkwater noted the need to have all stations open and that transfers were necessary to accomplish that. C. Rourke commented on



prior overtime budgets and questioned if transfer would cover that cost. C. Rourke noted a full staff will reduce overtime. Manager Golden, Jr. noted there was enough available to cover overtime costs. C. Robinson commented on the commitment to keep stations open. C. Drinkwater noted there must be a more sustainable approach. C. Mercier supported keeping stations open. Mr. Baldwin noted there would be more sustained approach moving forward. C. Jenness commented on mandatory retirement policy and requested report regarding the same. C. Yem noted public safety was paramount and stations must be opened. M. Chau noted common theme of commitment to safety and fiscal soundness.

7. ORDERS FROM THE CITY MANAGER

7.1. Order - 60 Day Trial.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas, 2 absent (C. Nuon, C. Scott). So voted. C. Mercier noted the installation of the sign at Saint Michael's School.

8. ORDINANCES FROM THE CITY MANAGER

8.1. Ordinance - Amend Ch. 266-43 Special Speed Regulations - 25mph.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on December 6, 2022 at 7 PM by C. Rourke, seconded by C. Yem. So voted. C. Jenness noted importance of ordinance. C. Rourke noted public must be educated on the ordinance.

8.2. Ordinance - Create Position Facilities And Infrastructure Project Manager.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on December 6, 2022 at 7 PM by C. Gitschier, seconded by C. Mercier. So voted.

9. REPORTS (SUB/COMMITTEE, IF ANY)

9.1. Finance SC November 15, 2022.

In City Council, **Motion** to accept the report as a report of progress and adopt motions of the subcommittee by C. Robinson, seconded by C. Jenness. So voted.

9.2. Wire Insp. - TC Systems Inc. (AT&T) (Giomare Group) - Request Installation Of 2 Inch Conduit And Pull Box At Riverside Street And University Avenue.

In City Council, **Motion** to accept and adopt accompanying order by C. Mercier, seconded by C. Yem. So voted.

10. PETITIONS

10.1. Claims - (2) Property Damage.

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Jenness, seconded by C. Drinkwater. So voted.



10.2. Misc. - Fr. Leonard Faris, Eric Hassey, Martha Stuart Request Installation Of Flashing Stop Sign At Intersection Of Bowers And Fletcher Street.

In City Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Gitschier, seconded by C. Jenness. So voted. Eric Hassey and Fr. Faris spoke on the petition. C. Yem noted the speakers. C. Mercier noted the area was hazardous and the fix may be costly but needed.

11. CITY COUNCIL - MOTIONS

11.1. C. Gitschier - Req. City Mgr. Have The Proper Department Report On The Recycling Contamination Rate By Month Over The Last Three Years And Cost To The Taxpayer.

In City Council, seconded by C. Jenness, referred to City Manager. So voted.

11.2. C. Yem - Req. City Mgr. And The Appropriate Department Install A Left Turn Traffic Signal At Bedford Avenue From Pawtucket Blvd. (North Bound) With A Street Name And A "Not A Through Street" Sign.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. C. Yem noted Item #11.5 is similar motion. **Motion** to take Item #11.5 out of order by C. Yem, seconded by C. Robinson. So voted. C. Yem commented on the area and the need to improve traffic. C. Rourke noted prior motions and it is a tough sell to the State.

11.3. C. Yem - Req. City Mgr. And The Appropriate Department Update The Council On An Effort To Educate The Public On The New Hotline 988 Phone Number.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted.

11.4. C. Leahy/C. Scott - Req. City Mgr. Have Proper Department Provide A Status Report Regarding "Double" Poles In South Lowell And Throughout The City.

In City Council, seconded by C. Gitschier, referred to City Manager. So voted. C. Leahy noted Comcast should be informed as well.

11.5. M. Chau - Req. City Mgr. Have Proper Department Investigate Adding To The Overhead Traffic Light At The Intersection Of Pawtucket Boulevard And Bedford Avenue A Green Turn Arrow/Yield Sign Onto Bedford Avenue.

In City Council, seconded by C. Jenness, referred to City Manager. So voted.



12. ANNOUNCEMENTS

In City Council, C. Leahy noted football game scheduled. C. Jenness wished all a happy Thanksgiving. Manager Golden, Jr. noted City of Lights Parade and CDBG funding meeting via Zoom.

13. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Jenness, seconded by C. Mercier. So voted.

Meeting adjourned at 9:12 PM.

Michael Q. Geary, City Clerk